

MINUTES
KANSAS BOARD OF VETERINARY EXAMINERS
Thursday July 30, 2015
900 SW Jackson
Topeka, Kansas

This meeting of the Kansas Board of Veterinary Examiners was called to order at 11:13 a.m. by Board President Dr. Bogue. Board Members in attendance in addition to Dr. Bogue were Drs. Layton, Kobuszewski, Norton (via telephone), Dodson, and Bentz. Mr. Allen was absent. Also present were agency staff Sarah Byrne, Dr. Dirk Hanson, Cheryl Mermis, and Konrad Coe, and Board General Counsel Robert Large and litigation counsel Rick Scheufler. Guests in attendance were Dr. Bill Brown, Secretary of Agriculture Jackie McClaskey, and Deputy Secretaries Susan Metzger (via telephone) and Chad Bontrager.

The Board President recognized and welcomed those in attendance. Dr. Layton moved to adopt the meeting agenda as proposed. Dr. Dodson seconded the motion. The motion passed on a voice vote with no dissenting votes.

Dr. Dodson made a motion to approve the minutes of the previous two meetings as read and was seconded by Dr. Layton. The motion passed on a voice vote with no dissenting votes.

Executive Director Byrne presented an update on the FY 2015 budget, final numbers. She reported that the Board spent 101.4% of its budgeted expenses, the excess mostly due to the charge that carried over from FY 2014 for document scanning by Bitco. Director Byrne also reported the Board had received greater than expected revenues: \$358,595 was received, while only \$300,075 was anticipated. There is currently \$301,947 in the veterinary fee fund. Dr. Layton asked how these numbers compared to FY 2014. Ms. Byrne did not have that information with her, but stated she would email the Board the information requested.

Ms. Byrne further pointed out that KDA had covered the bulk of the Boards expenses since mid-March but Secretary McClaskey did not intend to have the Board pay back those expenses, as that would result in a similar situation occurring even earlier this fiscal year.

Litigation Counsel Rick Scheufler provided an update on the status of open cases involving KBVE. Director Byrne commended KDA Legal for their efforts and remarked that KDA Legal staff and KBVE staff are working more efficiently and effectively together.

Investigator Dr. Dirk Hanson reported that he has received 11 new cases since the June meeting, and he has several investigations currently ongoing. Dr. Hanson reported that he and an Animal Facilities Inspector conducted a joint operation that was very successful, and they were able to resolve the issue within a week. Dr. Hanson thanked the two new Board members who have been participating in probable cause review teams and stated they had already been providing valuable insight.

Director Byrne reported that, since June 7, 2015, staff has issued 18 new veterinary licenses, four new veterinary technician registrations, and two new veterinary premises registrations. Staff has conducted 83 premise inspections since June 7, 2015, finding nine premises to be deficient in some aspect, for a compliance rate of 89%. She also reported staff has received 11 new complaints since that date. During this renewal season, staff processed 2568 veterinary license renewals, 438 veterinary technician registration renewals and 511 premise registration renewals.

Ms. Byrne reported that a working group had been formed to review and make recommendations for amendments to the KBVE administrative regulations. She requested at least two Board members volunteer to participate in the working group. Ms. Byrne also reported that she had met with KDA IT to discuss an on-line platform for the jurisprudence examination and was very hopeful about the outcome. IT will present a cost estimate for that platform at a later date.

Dr. Brown discussed a process for streamlining the renewal process, involving KDA marketing and communications division and an outreach program. He feels the renewal process can be streamlined and greatly reduce the burden on KBVE staff. Dr. Brown also reported that KDA had reviewed KBVE's Policy and Procedures manual and removed those areas now covered by KDA policies and procedures. He requested staff review the remainder to identify areas that are now redundant or may be improved.

Discussion then turned to options for the Executive Director position. Ms. Byrne gave a recap of the options discussed at the July 2, 2015 meeting: make the position a ¼ time position; or eliminate it as a stand-alone position and utilize 10% of the Animal Health Commissioner's time as titular Executive Director. She reported that moving the position to ¼ time would result in salary and wages of \$22,905 per year, based on her current salary. Ms. Byrne also reported that utilizing 10% of the Animal Health Commissioner's time would result in salary and wage expenses to KBVE of \$10,767 per year. Ms. Byrne also presented a matrix showing all her current duties, how much time they take, and who she felt would best fulfill those duties should the Executive Director position be eliminated.

At 12:10 p.m., the following motion was made by Dr. Dodson:

I move that the Board recess into executive session to discuss personnel matters of non-elected personnel to protect the privacy of persons involved. We require Board members, general counsel Robert Large, and Executive Director Sarah Byrne to be admitted to the executive session to aid the Board in its discussion. The Board will reconvene the open session in this same location at 12:40 p.m.

The motion was seconded by Dr. Bentz and passed unanimously.

At 12:42 p.m., on a motion by Dr. Dodson and seconded by Dr. Kobuszewski, the Board reconvened in open session.

Dr. Bogue asked Secretary McClaskey and Dr. Brown if they had any comments concerning the Executive Director's position. Secretary McClaskey encouraged the Board to take action soon, as she needed to

move forward with addressing the Board's budget issue. Dr. Brown stated that he would continue to look at options for relieving KBVE staff's workload.

D. Bogue suggested the Board consider the 10% solution, but expressed concern about the effect that might have on remaining staff.

Dr. Dodson moved that the Board proceed with changing the function of the Executive Director by utilizing the resources of the Animal Health commissioner for 10% of his time to serve as Executive Director and dividing the duties of the current Executive Director among Dr. Brown and the remaining staff. The motion was seconded by Dr. Kobuszewski and passed unanimously.

Secretary McClaskey suggested that the Board work with KDA's Leadership team to develop language for statutory amendments concerning the Executive Director. She also stated that, at least for now, KBVE staff will report to Dr. Brown.

The Board then took up the question of designating a delegate for the AAVSB conference and annual meeting in September. No Board member was officially designated as delegate, but Dr. Kobuszewski volunteered.

The next meetings of the Board will be October 2, 2015 and December 4, 2015, in Manhattan.

Dr. Layton moved that the meeting be adjourned and Dr. Kobuszewski seconded. Motion passed. Having no further business before the Board at this time, this meeting adjourned at 1:10 p.m.

Signed: Gregory E. Bogue DM
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